

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8641 authorizing the execution of documents for the purchase of the Widden Property (King County Parcel 939970-0035) from Joseph and Colleen Widden for critical area mitigation of CIP Project No. PW-R-160, NE 4th Street Extension, 116th to 120th Avenues NE.

FISCAL IMPACT

This action obligates the City to pay up to \$62,700 to purchase the property. Sufficient funding exists within the project budget of CIP Project No. PW-R-160, NE 4th Street Extension to pay these costs.

STAFF CONTACT

Nora Johnson, Director, 452-4167

Max Jacobs, Real Property Manager, 452-4182

Marley Jo Marinacci, Senior Real Property Agent, 452-5269

Civic Services

Ron Kessack, Assistant Director, 452-4631

Marina Arakelyan, Project Manager, 452-4632

Transportation Department

POLICY CONSIDERATION

Bellevue City Code:

- Under Bellevue City Code 4.30.010, property acquisitions for an approved and funded project included in the City's Capital Investment Program Plan that are in excess of \$50,000 must be approved by the City Council.

City Practice:

- The City's Real Property Policies provide that property rights necessary for public use are to be acquired at fair market value as determined by a qualified appraiser, and acquired through negotiation and voluntary transactions whenever possible.

BACKGROUND

The NE 4th Street Extension project extends a new roadway between 116th Avenue NE and 120th Avenue NE, including five vehicle travel lanes with a bike lane, landscaping and sidewalk on each side. Because the new roadway crosses the steep slope on the western embankment of the former Burlington Northern Santa Fe railroad corridor, the project impacts an existing steep slope critical area.

Specifically, the project will permanently convert portions of the slope and buffer areas to road surface, precluding natural drainage and future vegetation growth.

Under Bellevue's Land Use Code, new or expanded facilities are allowed in critical areas if there is no technically feasible alternative with less impact on critical areas, and where certain performance standards are met. Because vegetated steep slopes serve many functions, including serving as visual amenities in urbanized areas and providing drainage, these performance standards include mitigation involving the creation of functional replacement areas.

The project team determined that the NE 4th Street steep slope impacts could be properly mitigated at another slope area at the intersection of 116th Avenue SE and SE 5th Street with landscape enhancements so that the new site would serve as a functional replacement of the slope area being impacted by the NE 4th project. The proposed mitigation site consists of City-owned property with one 4,320 square foot privately-owned parcel in the middle, shown on Attachment A. To complete the restoration work, the City needs to purchase the privately-owned parcel.

In compliance with the City's property acquisition policies and procedures, the value of the privately-owned property was established by an independent appraiser and City staff negotiated with the owners to purchase the property. The property owners have agreed to this acquisition and are willing sellers.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt Resolution No. 8641 authorizing the execution of documents for the acquisition of property rights from Joseph and Colleen Widden for critical area mitigation of CIP Project No. PW-R-160, NE 4th Street Extension, 116th to 120th Avenues NE.
2. Do not adopt Resolution No. 8641 and provide staff with alternative direction.

RECOMMENDATION

Adopt Resolution No. 8641 authorizing the execution of documents for the acquisition of property rights from Joseph and Colleen Widden for critical area mitigation of CIP Project No. PW-R-160, NE 4th Street Extension, 116th to 120th Avenues NE.

MOTION

Move to adopt Resolution No. 8641 authorizing the execution of documents for the acquisition of property rights from Joseph and Colleen Widden for critical area mitigation of CIP Project No. PW-R-160, NE 4th Street Extension, 116th to 120th Avenues NE.

ATTACHMENTS

Attachment A – Map of Subject Parcel
CIP Project Description
Proposed Resolution No. 8641



Attachment A



0 34 68
Scale 1: 818 Feet

Map Generated on: 10/10/2013

The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

FY2013-2019 Capital Investment Program

PW-R-160 NE 4th Street Extension – 116th to 120th Avenues NE

Category: **Roadways**
Department: **Transportation**

Status: **Approved and Begun**
Location: **NE 4th Street - 116th to 120th Avenues NE**

Programmed Funding

Programmed Funding	Appropriated To Date	FY 2013 Budget	FY 2014 Budget	FY 2015 Budget	FY 2016 Budget	FY 2017 Budget	FY 2018 Budget	FY 2019 Budget
34,274,500	5,867,019	8,070,482	17,836,999	2,500,000	-	-	-	-

Description and Scope

This project will implement a new five lane arterial, with two travel lanes in each direction and a center turn lane where necessary, between 116th Avenue NE and 120th Avenue NE. The project will include bike lanes, curb, gutter and sidewalk on both sides, illumination, landscaping and irrigation, storm drainage and detention. The project will accommodate other utility infrastructure as needed. The final roadway alignment will be determined in coordination with existing and potential future development and with the ownership interests of the Burlington Northern Santa Fe (BNSF) railway corridor. The project will be designed not to preclude potential future uses of the BNSF corridor. The project will include a new signalized intersection at NE 4th Street/120th Avenue NE and will modify the existing signalized intersection at NE 4th Street/116th Avenue NE. Implementation of the project will be closely coordinated with the complementary 120th Avenue NE Improvements project (Stage 1; CIP Plan No. PW-R-161). A neighborhood protection plan, to address potential traffic impacts along NE 5th Street to the east of 120th Avenue NE, may be developed in coordination with the neighborhood.

The current project budget is intended to fully fund all phases of the project. The construction phase of the project may be completed in stages.

Rationale

The NE 4th Street project is one of a number of high priority transportation investments that will improve access, circulation, and mobility options for passenger cars, transit, freight, pedestrians, and bicycles to and between Downtown Bellevue, Wilburton, the new Bel-Red transit-oriented-development nodes, and the larger city and region. This project in coordination with a widened and realigned 120th Avenue NE corridor, a widened and improved 124th Avenue NE corridor, the planned NE 6th Street extension, and the new NE 15th/16th Street multi-modal corridor have been associated and advanced as part of the Mobility and Infrastructure Initiative (M&I) of 2009. The package of M&I projects was formed to address recent growth, accommodate planned new land use development in the vicinity, and to ensure coordinated design and implementation with the Sound Transit East Link light rail project.

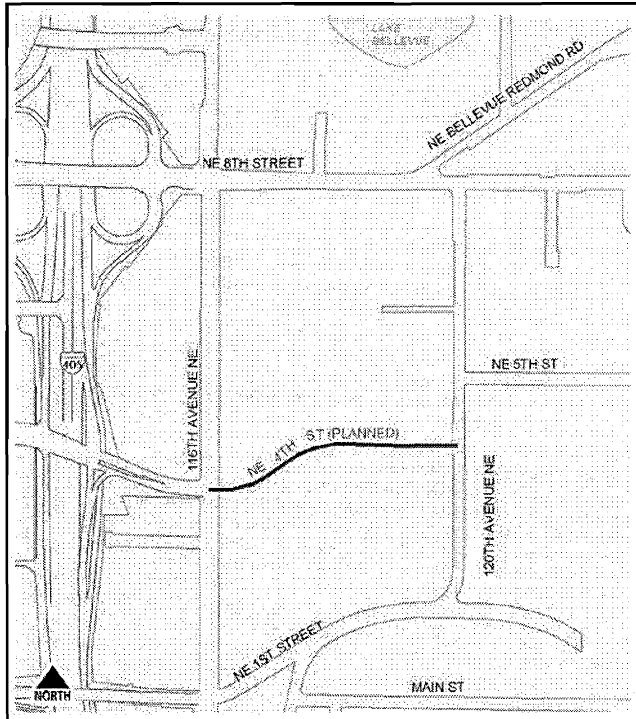
Environmental Impacts

A project specific environmental determination, consistent with federal requirements, will be made during the project design phase. A citywide programmatic environmental review including this project was conducted as part of the citywide 2009-2020 Transportation Facilities Plan update. Programmatic impact and mitigation documentation is included in the 2009-2020 TFP Final Environmental Impact Statement, published in March 2009.

Operating Budget Impacts

Operating costs will increase due to added street lighting/signal (electricity) and the maintenance of the roadway. The maintenance activities will include landscaping maintenance and street light/signal maintenance beginning in 2015. An estimated \$32,750 will be required to fund maintenance and operations costs in 2015, adjusted for inflation thereafter.

Project Map



Schedule of Activities

Project Activities	From - To	Amount
Project Costs	2009 - 2015	34,274,500

Total Budgetary Cost Estimate: 34,274,500

Means of Financing

Funding Source	Amount
General Taxes & LTGO Bond Proceeds	17,969,945
Grants	6,281,000
Impact Fees	1,253,555
LRF	8,770,000

Total Programmed Funding: 34,274,500

Future Funding Requirements: 0

Comments

Capital Costs/Revenue: Project costs increased by \$3,163,999 reflecting updated project cost estimates. Revenues updated to remove PWTF Loan (\$2,900,000) and SBO/LID (\$4,354,000). Reduction in Grants (\$2,318,381) and increase to LRF (\$1,770,000). General Taxes increased to fully fund project (\$10,965,500).

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8641

A RESOLUTION authorizing the execution of all documents necessary for the purchase of the Widden Property (King County Parcel 939970-0035) from Joseph and Colleen Widden in an amount not to exceed \$62,700, for critical area mitigation of CIP Project No. PW-R-160, NE 4th Street Extension, 116th to 120th Avenues NE.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute all documents necessary for the acquisition of property rights for the purchase of the Widden Property (King County Parcel 939970-0035) from Joseph and Colleen Widden in an amount not to exceed \$62,700, for critical area mitigation of CIP Project No. PW-R-160, NE 4th Street Extension, 116th to 120th Avenues NE, a copy of which documents have been given Clerk's Receiving No. _____.

Passed by the City Council this _____ day of _____, 2013, and signed in authentication of its passage this _____ day of _____, 2013.

(SEAL)

Conrad Lee, Mayor

Attest:

Myrna L. Basich, City Clerk